



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-1237-A)

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| In the Application of: |) | |
| |) | |
| Rajgarhia et al. |) | |
| |) | Examiner: Yong D. Pak |
| Serial No.: 09/992,430 |) | |
| |) | Group Art Unit: 1652 |
| Filing Date: November 23, 2001 |) | |
| |) | |
| For: Methods and Materials for the |) | |
| Synthesis of Organic Products |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22231-1450

DECLARATION PURSUANT TO 37 C.F.R. SECTION 1.132

I, Vineet Rajgarhia, residing at 15 Summer Street, #8, Waltham, MA 02452,
hereby declare:

1. I am an original and joint inventor of the subject matter in the above-captioned United States Patent Application.
2. I am an original and joint inventor of the subject matter in the United States Patent No. 6,485,947, issued on November 26, 2002, and entitled, "Production of Lactate Using Crabtree Negative Organisms in Varying Culture Conditions."
3. I am the original and sole inventor of an isolated nucleic acid encoding an amino acid sequence of the lactate dehydrogenase gene derived from *Kluyveromyces thermotolerans* ATCC 52709, which is included in columns 28-29 of the '947 patent but not claimed in the '947 patent. and is disclosed in both nucleotide and amino acid sequence and claimed in the instant application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 3/28/05

Vineet Rajgarhia
Vineet Rajgarhia